



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,225	02/04/2004	Shilin Chen	SC-03-02	2188
31625	7590	08/08/2007	EXAMINER	
BAKER BOTTS L.L.P. PATENT DEPARTMENT 98 SAN JACINTO BLVD., SUITE 1500 AUSTIN, TX 78701-4039			JONES, HUGH M	
		ART UNIT	PAPER NUMBER	
				2128
		MAIL DATE	DELIVERY MODE	
		08/08/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mjn

1.105 REQUIREMENT FOR INFORMATION

1. Claims 1-104 of U. S. Application 10/772,225, filed on 2/4/2004 are pending.
2. This action is in response to Applicant's submissions of 4/5/2004, 4/7/2004, 4/9/2004, and 11/26/2004. This action is also in response to Applicant's remarks of 10/20/2006 as well as Applicant's interview with the Examiner's supervisor. In the interview, Applicants requested clarification of the requirement. Applicants have also expressed concern about the burden for Applicants to respond to the requirements.
3. The requirement is therefore revised and resent to Applicants. The previous 1.105 requests are hereby **vacated**.

Response to Arguments

4. The required information is reasonably necessary to properly examine the application.
5. Applicant's remarks concerning burden on Applicant are noted. The 1.105 requirement is revised in order to reduce the burden on Applicants.
6. For these reasons, and in response to Applicant's remarks concerning the burden on Applicants, the requirement for information is revised and resent.

Requirement for Information

7. Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information (see items A-B) that the examiner has determined is reasonably necessary to the examination of this application:

A. Stipulate for the IDS(s) submitted 4/5/2004, 4/7/2004, 4/9/2004, and 11/26/2004 the following:

Identify 10-20 references considered to be most relevant by Applicants and listed on the IDS(s) submitted 4/5/2004, 4/7/2004, 4/9/2004, and 11/26/2004.

This requirement is deemed to be necessary because a cursory review of the IDS shows a number of references to be completely irrelevant to the subject matter of the claims. No explanation of the relevance or materiality has been provided. In IDS statement filed 4/7/2004, patents issued in 1916, 1918, 1921 almost a century ago, are listed. The same statement lists five patents issued in the 1930's. There also appear to be many cumulative references listed throughout the 4 IDS statements.

B. In order to constitute a complete response Applicant is required to include stipulations for the 10-20 references cited in the IDS submission(s) dated 4/5/2004, 4/7/2004, 4/9/2004, and 11/26/2004 as well as each and every IDS submission thereafter, as delineated in requirement A.

8. The fee and certification requirements of 37 CFR 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 CFR 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement

Art Unit: 2128

under 37 CFR 1.105 are subject to the fee and certification requirements of 37 CFR 1.97.

9. The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item.

10. This requirement is subject to the provisions of 37 CFR 1.134, 1.135 and 1.136 and has a shortened statutory period of two months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

11. **Any inquiry concerning this communication or earlier communications from the examiner should be:**

directed to: Dr. Hugh Jones telephone number (571) 272-3781,

Monday-Thursday 0830 to 0700 ET,

or

the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, telephone number (703) 305-3900.

mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

Art Unit: 2128

(703) 308-9051 (for formal communications intended for entry)

or (703) 308-1396 (for informal or draft communications, please label *PROPOSED* or
DRAFT).

/Hugh Jones/

Primary Examiner, Art Unit 2128

August 2, 2007


KAMINI SHAH
SUPERVISORY PATENT EXAMINER